

REMARKS

Claims 1-4, 6-12 and 14 are cancelled without prejudice or disclaimer and Claims 5, 13 and 15 remain pending.

Amendments to the Claims

Claims 5 and 13 are amended to recite the term "neuropeptide Y" in place of the abbreviation "NPY". Dependent Claims 13 and 15 are amended to recite the term "inhibitor of dipeptidyl peptidase IV enzyme" in place of the abbreviated term "DP IV inhibitor" in accordance with the term as recited in independent Claim 5. Claim 15 is amended to add a period at the end of the claim. No new matter has been added.

Double Patenting Rejection

Claims 1-4, 6-7 and 9-12 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,319,893 (the '893 patent). Applicants, respectfully disagree with U.S.P.T.O. with respect to this rejection, however, in the interest of advancing the prosecution of the instant application, Applicants cancel the aforementioned claims without prejudice or disclaimer. Applicants reserve the right to pursue said claims and the subject matter therein in a continuation application. In view of the cancellation of the claims at issue, the rejection is believed to be obviated and reconsideration and withdrawal of the rejection is respectfully requested.

Objections to Claims

Claim 15 was objected to because of the informality that the claim does not end with a period. This paper amends Claim 15 to add a period at the end of the claim so that the objection is believed to be obviated. Reconsideration and withdrawal of the objection is, therefore, respectfully requested.

CONCLUSION

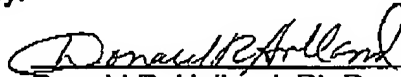
For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the rejections and objections of the claims. It is believed that the claims as currently presented are in a condition for allowance and such favorable action is respectfully

requested. If any questions arise or if any issues remain to be resolved, it is requested that the U.S.P.T.O contact the undersigned attorney.

.Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

By:



Donald R. Holland, Ph.D.

Reg. No. 35,197

Customer No. 29932

Telephone No. (314) 259-5801

Attorneys for Applicant